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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/656,695	09/04/2003	William H. Hanewinkel III	907A.0146.U1(US)	8571

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HARRINGTON & SMITH, LLP
4 RESEARCH DRIVE
SHELTON, CT 06484-6212

EXAMINER

SWIATEK, ROBERT P

ART UNIT	PAPER NUMBER
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3643

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/656,695

Applicant(s)

HANEWINKEL ET AL.

Examiner

Robert P. Swiatek

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-12, 14-20 and 23-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2, 3, 6-12, 14-20 and 23-27 is/are allowed.
- 6) ☒ Claim(s) 1, 5, 28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 5, 28 are rejected under 35 U.S.C. 102(b) as being anticipated by Reese (US 3,727,059). The patent to Reese discloses a rectangular component 10 comprising a first section 12 capable of being attached via mounting holes (unnumbered, but shown accommodating bolts 16 in Figure 2 of the patent) through perimeter flanges to an exterior surface of an aircraft to close an access opening therethrough and a second section 14 extending outwardly from the first section and forming at least one heat transfer surface to transfer heat from the first section to air passing by the exterior surface and the second section, with the first and second sections being integrally formed as a metallic one-piece member. With respect to instant claim 5, the heat transfer surface 14 of Reese is in the form of a plurality of fins oriented orthogonally to first section 12. While the Reese component 10 is disposed on the exterior of a container of radioactive material to dissipate heat generated by the material, nonetheless it is deemed to constitute a component of an aircraft inasmuch as, for example, US patent 4,273,183 to Altoz et al. discloses that heat transfer elements are well-known adjuncts of aircraft (see elements 47, 49 of this patent). Moreover, the Reese patent is believed to constitute analogous art inasmuch as one seeking to dissipate heat from an aircraft fuselage could turn to the Reese patent, which

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teaches that a base plate with projecting fins provides optimum heat conduction from a heat source while minimizing weight and eliminating the necessity for cooling liquid. It is noted that claim 1 makes no reference to a heat sink for aircraft electronics.

Applicants' arguments filed 12 October 2005 have been fully considered but they are not persuasive. Claims 1, 5 are not believed allowable for the reasons set forth above.

THIS ACTION IS MADE FINAL. Applicants are reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Summary: Claims 1, 5, 28 have been rejected; claims 4, 13, 21, 22 have been canceled; claims 2, 3, 6-12, 14-20, 23-27 have been allowed.

RPS: Q571/272-6894
21 December 2005

Robert P. Swiatek

**ROBERT P. SWIATEK
PRIMARY EXAMINER
ART UNIT 333 3643**